

USPTO Serial No. 10/686,838 (Docket No. LONG-003)

In the Claims: (strikethrough parts deleted and underlined parts added)

Please delete Claims 2-5, 11-19 without prejudice or disclaimer.

1. (Currently Amended) A conveyor belt alignment system, comprising:
a mounting plate for attaching to a structure;
an adjustment structure constructed of a first plate and a second plate;
~~adjustably attached to said mounting plate;~~
wherein said first and second plate form an L-shaped structure, wherein said
second plate is adjustably attached to said mounting plate, wherein said second plate
has at least one vertically oriented second slot for receiving fasteners extending through
said mounting plate;
a support frame adjustably positioned upon said adjustment structure;
a plurality of first idlers extending from said support frame; and
a plurality of second idlers extending from said support frame.

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Currently Amended) The conveyor belt alignment system of Claim 12,
wherein said support frame is adjustably attached to said first plate.

7. (Original) The conveyor belt alignment system of Claim 6, wherein said first
plate has at least one first slot for receiving fasteners extending through said support
frame.

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8. (Original) The conveyor belt alignment system of Claim 6, wherein said first plate has at least one first slot for receiving fasteners extending through said support frame, wherein said second plate has at least one second slot for receiving fasteners extending through said mounting plate, wherein said first slot is transversely orientated with respect to said second slot.

9. (Original) The conveyor belt alignment system of Claim 1, wherein said first idlers are positionable on opposite surfaces of a conveyor belt for vertical alignment of a conveyor belt.

10. (Original) The conveyor belt alignment system of Claim 1, wherein said second idlers are positionable on a same side of a conveyor belt for horizontal alignment of a conveyor belt.

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Canceled)

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20. (Allowed) A conveyor belt alignment system, comprising:
a mounting plate for attaching to a structure;
an adjustment structure adjustably attached to said mounting plate;
a support frame adjustably positioned upon said adjustment structure;
a plurality of first idlers extending from said support frame in a parallel manner;
a plurality of second idlers extending from said support frame in a parallel manner substantially transverse with respect to said first idlers;
wherein said adjustment structure is comprised of a first plate attached to a second plate forming an L-shaped structure;
wherein said second plate is adjustably attached to said mounting plate;
wherein said support frame is adjustably attached to said first plate;
wherein said first plate has at least one first slot for receiving fasteners extending through said support frame, wherein said second plate has at least one second slot for receiving fasteners extending through said mounting plate, wherein said first slot is transversely orientated with respect to said second slot; and
wherein said first idlers are positionable on opposite surfaces of a conveyor belt for vertical alignment of a conveyor belt, and wherein said second idlers are positionable on a same side of a conveyor belt for horizontal alignment of a conveyor belt.

Please add the following claim:

21. (New) A conveyor belt alignment system, comprising:
a mounting plate for attaching to a structure;
an adjustment structure adjustably attached to said mounting plate;
a support frame adjustably positioned upon said adjustment structure;
a plurality of first idlers extending from said support frame;
a plurality of second idlers extending from said support frame;
wherein said adjustment structure is comprised of a first plate attached to a second plate forming an L-shaped structure;
wherein said second plate is adjustably attached to said mounting plate;

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wherein said support frame is adjustably attached to said first plate; and
wherein said first plate has at least one first slot for receiving fasteners extending through said support frame, wherein said second plate has at least one second slot for receiving fasteners extending through said mounting plate, wherein said first slot is transversely orientated with respect to said second slot.

C. APPLICANT'S COMMENTS

The Official Action rejected as-filed Claims 1-4, 6, 7, 9-14, 16, 17 and 19 under 35 U.S.C. §102(b) as being anticipated by Holm (U.S. Patent 3,927,814). The Applicant respectfully disagrees with this rejection particularly in view of the amendments made to the claims.

It is important to first briefly discuss 35 U.S.C. §102 and its application to the present application. Under section 102(b), anticipation requires that the prior art reference disclose, either expressly or under the principles of inherency, every limitation of the claim.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Under 35 U.S.C. §102, anticipation requires that each and every element of the claimed invention be disclosed in the prior art. In addition, the prior art reference must be enabling, thus placing the allegedly disclosed matter in the possession of the public. *Akzo N.V. v. United States Int'l Trade Comm'n*, 1 USPQ 2d 1241, 1245 (Fed. Cir. 1986), cert. denied, 482 U.S. 909 (1987) (emphasis added). Anticipation requires the

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disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock, Inc.*, 220 USPQ 303, 313 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Holst & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

Unites States Patent No. 3,927,814 (hereinafter "the '814 patent") to Holm discloses a "GUIDE FOR MOVING A BELT." The '814 patent teaches a moving belt that is guided along a predetermined longitudinal path by a pair of peripherally grooved rollers and a transverse roll extending across the belt to guide it into the grooves of the edge rollers. The peripherally grooved rollers are supported by a stub shaft mounted on a bracket portion. The adjustable bracket portion is bolted to a base member, which is "rigidly fixed to the supporting sidewalls as by welding." The transverse roll is connected to the bracket portion by a rearwardly extending arm that has a bearing cap for supporting a reduced end of the transverse roll. The belt passes over the transverse roll, through the peripherally grooved rolls and on to the next transverse roll.

Claim 1 has the following features:

1. (Original) A conveyor belt alignment system, comprising:
a mounting plate for attaching to a structure;
an adjustment structure adjustably attached to said mounting plate;
a support frame adjustably positioned upon said adjustment structure;
a plurality of first idlers extending from said support frame; and
a plurality of second idlers extending from said support frame.

The present invention shows features not present in Holm, therefore not subject to rejection under 35 U.S.C. § 102(b). The prior art shown in the '814 patent has similarities to the current invention, however, the present invention and the '814 patent do not share each and every element. A main difference between the '814 patent and the present invention is the number of elements claimed and present. The '814 patent

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claims the numerical amount of each element based on a structure extending across the entire belt, whereas the present invention claims numerical amounts based on a structure found on only one side of the conveyor belt structure, which **effectively doubles the numerical amounts of each claimed element in the present invention compared to the '814 patent.**

The '814 patent shows and claims "a pair of peripherally grooved rollers rotatably mounted in fixed position to said bracket means **one on each side of said path** in position to engage opposing edges of said belt." The present invention shows and claims "a plurality of first idlers extending from said support frame." The "pair of peripherally grooved rollers" are not shared between the present invention and the '814 patent. More specifically, the present invention has two rollers, **neither of which contains a grooved structure.** Furthermore, the present invention comprises "a plurality of first rollers" which actually consists of at least two rollers **per side** of the conveyor system as shown in Figures 1 through 4 of the present invention. Additionally, the present invention does not share the grooved roller limitation of "one on each side of said path in position to engage opposing edges of said belt." The present invention would read "at least two idlers on each side" if read in conjunction with the numerical inconsistencies noted above.

Furthermore, the '814 patent also claims "a guide roll." Considering the numerical inconsistencies, read together with the present invention's Claim 1 claiming "a plurality of second idlers extending from said support frame," **the present invention shows and claims what would amount to four guide rolls** if claimed in the '814 patent (two on each side of the belt). If read correspondingly, in present invention there effectively is one "guide wheel" on each side of each set of "first idlers," thereby containing two "guide wheels" for every set of idlers compared with one guide wheel in the '814 patent. Finally, the '814 patent's guide wheel connects the entire structure to its opposing side across the belt structure because the guide wheel spans the entire belt, whereas the present invention is not connected by its guide wheels, further reinforcing the numerical inconsistencies between interpretation of the present invention